

STATE OF INDIANA
COUNTY OF BARTHOLOMEW

CASELOAD PLAN

Pursuant to Administrative Rule 1(E), the Bartholomew Circuit Court,
Superior 1 Court and Superior 2 Court adopt the following on this 31st day of May,
2006.

CRIMINAL CASE FILINGS

(a) Superior Court 2. The following types of causes shall be docketed with Superior Court 2:

- (1) all class D, C, and B felonies related to driving offenses;
- (2) all classes of misdemeanors (except Domestic Violence cases); and
- (3) all classes of infractions.

(b) Circuit and Superior Court 1. The following shall be docketed with the Circuit Court and Superior Court 1 in a random method by the Clerk. The following types of causes shall be docketed with these two courts according to the aforementioned method:

- (1) all class A-D felonies (except those specifically denoted to be filed in Superior Court 2 and except for Domestic Violence cases) and
- (2) all capital offenses.

(c) Domestic Violence Cases

All Domestic Violence cases shall be filed in Superior Court 1.

(d) Defendants with Multiple Actions. Notwithstanding LR03-CR2.2-1(a) and (b), when a Defendant has a cause pending against them in Circuit or Superior Court 1, during the pendency of that cause, all subsequent criminal actions filed against that Defendant shall be assigned to the Court where the initial cause was assigned.

(e) Co-Defendants. When two or more defendants are charged with felonies as the result of the same underlying set of facts, they shall all be charged in the same Court.

(f) Charges Alleging violation of Protective Order. When a defendant is charged with violation of a Protective Order, those charges shall be filed in the Court where the protective order was issued.

(g) Prosecutor's Knowledge of Potential Conflict. In the event the prosecutor has knowledge prior to the filing of a case that a judge should not receive a case because

of a conflict, or for some other reason, the prosecutor may request the filing of a case in a specific court by making specific allegations in a written request filed at the time of filing said case. This request may be approved by the judge of the Court in which the prosecutor seeks to file said case.

- (a) **LR03-CR2.3-1 Transfer of Cases** In the event of a conflict, Circuit Court shall reassign cases first to Superior Court 1 and if there is a conflict with Superior Court 1, then the reassignment shall be to Superior Court 2.
- (b) In the event of a conflict, Superior Court 1 shall reassign cases first to Circuit Court and if there is a conflict with Circuit Court, then the reassignment shall be to Superior Court 2.
- (c) In the event of a conflict, Superior Court 2 shall reassign cases to Circuit Court and Superior Court 1 randomly.
- (d) In the event that no Courts in Bartholomew County are available to hear a case, then that case shall be transferred to Shelby Circuit Court or Decatur Circuit Court randomly.
- (e) In the event that no judge is available for assignment or reassignment, such case shall be certified to the Indiana Supreme Court for the appointment of a Special Judge.

CIVIL CASE FILINGS

- (a) **Infraction** cases (except for juvenile non-driving infractions) shall be filed in Superior Court 2.
- (b) **Ordinance Violation** cases may be filed in any court.
- (c) **Juvenile Chins, Delinquents, Status, Paternity, Miscellaneous, Status, Infractions, and Ordinance Violation** cases shall be filed in Circuit Court.
- (d) **Civil Plenary, Mortgage Foreclosure, Civil Collection, Civil Tort, Domestic Relations, Reciprocal, Adoption, Estates, Guardianships Trusts, and Miscellaneous Civil** cases may be filed in any court.
- (e) **Small Claim** cases shall be filed in Superior Court 2.
- (f) **Mental Health** cases shall be filed in Superior Court 1.
- (g) **Protective Order** cases shall be filed in Superior Court 1 unless there is currently pending a case involving the parties in another Bartholomew County Court. Then the protective order case shall be filed in that court.

Stephen R. Heimann
Circuit Court Judge

Chris D. Monroe
Superior Court 1 Judge

Roderick D. McGillivray
Superior Court 2 Judge